

**UTAH AIR QUALITY BOARD MEETING**  
**October 1, 2008**  
**168 North 1950 West, Room 101**  
**Salt Lake City, Utah 84116**

**FINAL MINUTES**

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**I. Call-to-Order**

Ernie Wessman called the meeting to order at 1:30 p.m.

Board members present: Nan Bunker, Jim Horrocks, Ernest Wessman, Kathy Van Dame, Steve Sands, Joel Elstein, Rick Sprott, Wayne Samuelson, Stead Burwell, and Craig Petersen

Excused: Darrell Smith

Executive Secretary: Cheryl Heying

**II. Date of the Next Air Quality Board Meeting:** November 5, 2008 and December 3, 2008.

Ms. Heying commented that no action items are planned for November's meeting and suggests the Board do a field trip to a facility. Ms. Heying will inform the Board of final plans.

**III. Approval of the Minutes for September 3, 2008 Board Meeting.**

Mr. Wessman made correction to the minutes on page three, third paragraph down. Remove the words 'based on' from the third sentence.

- Nan Bunker moved to approve the minutes of the September 3, 2008, Board meeting with correction as made by Mr. Wessman. Wayne Samuelson seconded. The Board approved unanimously.

**IV. Propose for Public Comment: Amend R307-405-2. Permits: Major Sources in Attainment or Unclassified Areas (PSD). Applicability. Presented by Colleen Delaney.**

Colleen Delaney, Environmental Scientist at DAQ, stated that the federal prevention of significant deterioration permitting program that applies to major sources in attainment areas is incorporated by reference into R307-405. The updates to the federal rule that will be included as part of this change is described in the memorandum to the Board. Staff recommends updating the incorporation by reference date to the most recent version of the Code of Federal Regulations dated July 1, 2008.

- Steve Sands moved to propose for public comment to amend R307-405-2. Joel Elstein seconded. The Board approved unanimously.

**V. Propose for Public Comment: Operating Permit Program Fee for Fiscal Year 2010. Presented by David Beatty.**

David Beatty, Operating Permits Manager at DAQ, stated that the operating permit program establishes an annual emissions fee to fund the cost of running the program. For fiscal year 2010 the fee being proposed is \$48.75 per ton of emissions, which is no change from fiscal year 2009. The fee will be included in the Department of Environmental Quality (DEQ) fee package which will be presented at a public meeting on October 28, 2008. Staff recommends that the Board submit the operating permit fee of \$48.75 per ton of emissions as part of DEQ's fee package for fiscal year 2010.

Mr. Beatty clarified that any surplus must stay within the Title V Program and is applied to the next year's fee. The tonnage for fiscal year 2008 was greater than projected which resulted in more fees being collected. There were increases in other areas of the program which offset the higher tonnage and so no change in the fee is requested for fiscal year 2010. Mr. Beatty also gave examples of how other states are collecting their operation permit fees and how they compare with Utah's program.

- Kathy Van Dame moved to propose for public comment the Operating Permit Program fee for fiscal year 2010. Steve Sands seconded. The Board approved unanimously.

**VI. Informational Items.**

**A. Air Toxics. Presented by Robert Ford.**

**B. Compliance. Presented by Jay Morris and Harold Burge.**

Harold Burge, Major Source Compliance Manager, was asked if the impression is accurate that a significant number of Notice of Violations (NOV) has to do with self-reporting of sources. Mr. Burge answered that at least half of the NOV are paperwork related as opposed to emissions violations. But when penalties are calculated the percentage can change depending on the magnitude of emissions violations because there can be one large emissions related penalty compared to several small paperwork related violations.

**C. Monitoring. Presented by Bob Dalley.**

Bob Dalley updated monitoring data and informed the Board that the ozone season from May 1<sup>st</sup> to September 30<sup>th</sup> has ended for 2008. Mr. Dalley also stated that the monitoring report is still being reviewed at DAQ and when it is ready will be posted on the website for a 30 day public comment.

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Meeting was adjourned at 1:51 p.m.

Minutes approved: December 3, 2008